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### **REMARKS**

Claims 1-11 are currently pending in the application. Claims 1 and 9 are independent claims. By this amendment, claims 1, 2, and 9-11 have been amended to overcome the informality objections and indefiniteness rejections in the outstanding Office Action. No new matter has been added. Reconsideration and withdrawal of all pending objections and rejections in view of the above amendments and following remarks is respectfully requested.

#### ***Objection to Claims***

In the Office Action, claim 1 was objected to based on a minor informality. In accordance with the Examiner's suggest, claim 1 has been amended to recite --the web server--. This amendment is made for the sole purpose of clarification. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. In this regard, this amendment has been made to merely expedite prosecution in the instant application. Therefore, Applicants do not intend to relinquish any subject matter by these amendments. Applicants respectfully submit that claim 1, as amended, overcomes the stated objection. Accordingly, Applicants respectfully request withdrawal of the objection for claim 1.

#### ***35 U.S.C. §112 Rejection, Second Paragraph***

Claims 1-8 stand rejected under 35 U.S.C. §112, 2<sup>nd</sup> paragraph as being indefinite. This rejection is respectfully traversed.

Claims 1 and 2 have been amended to clarify the antecedent basis. This amendment is made for the sole purpose of clarifying language of claims 1 and 2. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention, and no change in claim scope is intended. Moreover, this amendment has been made to merely expedite prosecution in the present application. Therefore, Applicants do not intend to relinquish any subject matter by these amendments.

Accordingly, withdrawal of the rejection of claims 1-8 is respectfully requested.

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**35 U.S.C. § 102 Rejection**

Claims 1 and 4-8 are rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 5,892,917 issued to Myerson ("Myerson"). This rejection is respectfully traversed.

In order for a rejection under 35 U.S.C. § 102(b) to be proper, a single reference must disclose every claimed feature. To be patentable, a claim need only recite a single novel feature that is not disclosed in the cited reference. Thus, the failure of a cited reference to disclose one or more claimed features renders the 35 U.S.C. § 102(b) rejection improper.

Claim 1 is directed to a method for adapting to change in a demand on a web server. In particular, representative claim 1 recites, in pertinent part:

analyzing the identifications of web pages requested by the  
browsers to determine caching priorities for the web server  
analyzing the identifications of web pages requested by the  
browsers to determine caching priorities for the server; and  
altering a server cache responsive to the caching priorities.

Such features are not shown or suggested by Myerson.

Applicants submit that Myerson is directed to a system and method for analyzing a Web site log file and generating an expanded log file that compensates for information caching and gateway based Web site access (column 2, lines 49-52). In particular, Myerson discloses a distributed computer system 100 having many client computers 102 and at least one information server computer 104 (see column 3, lines 64-67).

Contrary to the present disclosed invention, Myerson does not disclose or even suggest analyzing any information to *determine caching priorities* as recited, *inter alia*, by claim 1. More specifically, the present invention will determine caching priorities (as shown in figure 3 of the instant specification) based on analyzing the identifications of web pages requested by browsers (as shown in figure 2 of the instant specification). Myerson will only compensate the web log for caching that is done in other systems and will not modify the web server application nor the Web source files (column 4, lines 31-34).

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The Examiner indicates that Myerson determines caching priorities in the form of weight data which is discussed in column 3, lines 25-27; column 4, lines 62-67; and column 6, lines 54-61. However, the weight data described in Myerson, such as in the above-noted sections, is not used to determine caching priorities. The Myerson weight data uses a reference log file 144 to add "weight data" to a directed graph 146 (see FIG. 2) so as to represent the "true" or historical relative frequency of requests for the various objects associated with the Web (Column 4, lines 62-65). In other words, the Myerson weight data is used to create a more accurate measure of a frequency of requests.

Accordingly, Applicants respectfully request that the rejection over claims 1 and 4-8 be withdrawn.

#### *Dependent Claims 4-8*

Applicants note that claims 4-8 depend from allowable claim 1, and as such, include all the elements thereof. Because claim 1 recites at least one novel element (e.g., analyzing to *determine caching priorities*), not disclosed in Myerson, claims 4-8 are also allowable. Moreover, claims 4-8 recite additional features including, *inter alia*, wherein the session tracking objects are HTTP session objects; wherein the caching priorities are proportional to relative frequencies of browser requests for web pages; wherein the caching priorities are proportional to recency of browser requests for web pages; wherein the act of analyzing is performed periodically; and wherein the act of analyzing is performed in response to a triggering event, not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to withdraw the rejection and pass claims 4-8 to issue.

#### ***35 U.S.C. § 103 Rejection***

Claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myerson in view of U. S. Patent Application No. 2003/0041143 issued to Ronald, *et al.* ("Ronald"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants note that claims 2 and 3 depend from allowable claim 1, and as such, include all the elements thereof. Because claim 1 recites at least one novel element (e.g., analyzing to

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determine caching priorities), not disclosed in the Myerson, claims 2 and 3 are also allowable because claims 2 and 3 recite additional features not taught or suggested by the prior art.

Accordingly, the Examiner is respectfully requested to withdraw the rejection and pass claims 2 and 3 to issue

*Claims 9-11*

Claims 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myerson in view of U. S. Patent No. 6,415,368 issued to Glance, *et al.* ("Glance"). Applicants respectfully traverses this rejection for at least the following reasons.

Claim 9 is directed to a method for adapting to change in demand on a web server. In particular, representative claim 9 recites, in pertinent part:

analyzing the identifications of web pages requested by the browsers to determine caching priorities for the server; and  
altering a server cache responsive to the caching priorities.

Such features are not shown or suggested in the combination of Myerson in view of Glance.

Contrary to the present invention, Myerson is directed to a system and method for analyzing a Web site log file and generating an expanded log file that compensates for information caching and gateway based Web site access (column 2, lines 49-52).

Applicants further submit that Glance merely discloses a system and method of caching based on a recommender system. The Glance system employees a democratic caching generally shown by reference numeral 10. In particular, the Glance system 10 includes a computer 12 having a processor 22 and a cache memory 24. The recommender system 16 provides value information pertaining to items to be stored in cache 24 based on user input (column 4, lines 43-53) that includes implicit site recommendations (column 5, lines 24-55) and explicit URL recommendations (column 5, lines 65 et seq.). Thus, Glance does not determine caching priorities for the server by analyzing the identifications of web pages requested by the browsers.

Consequently, even if Myerson and Glance were combined, the combination would not result in the invention as recited in claim 9 including, *inter alia*, analyzing the identifications of

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web pages requested by the browsers to determine caching priorities for the server; and altering a server cache responsive to the caching priorities.

Because, there is no suggestion or disclosure in Myerson and Glance separately or in any proper combination that render obvious the features of the present claimed invention, the Examiner is respectfully requested to withdraw the rejection under 35 U.S.C. § 103. Thus, claim 9 is allowable over the combination of Myerson in view of Glance. Moreover, claims 10 and 11 depend from claim 9 and are also allowable for the same reasons as claim 9, as well as for its added features.

***Minor Amendments***

Additionally, minor amendments have been made to claims 9-11 in order to improve the language thereof. In these amendments, Applicants have made several changes to the language of the claims to render the same more self consistent, as well as more fully in compliance with U.S. syntax, idiom and grammar. These amendments do not change the scope of the claims but are merely cosmetic changes that give rise to no file wrapper estoppel.

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### CONCLUSIONS

In view of the foregoing amendments and remarks, Applicants submit that all of the objections and rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **IBM Deposit Account No. 09-0457 (Endicott)**.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'A. Calderon', with a long horizontal flourish extending to the right.

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